

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MARQUISE CORTEZ BROWN,)
)
)
Movant,)
)
)
v.) No. 4:19-cv-03124-CDP
)
)
UNITED STATES OF AMERICA,)
)
)
Respondent.)

MEMORANDUM AND ORDER

This matter is before the Court on review of movant Marquise Cortez Brown's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. Movant has failed to sign the motion. Rule 2(b)(5) of the Rules Governing § 2255 Proceedings for the United States District Courts requires that all § 2255 motions be signed under penalty of perjury. Additionally, Rule 11 of the Federal Rules of Civil Procedure requires an unrepresented party to personally sign all of his pleadings, motions, and other papers, and directs courts to "strike an unsigned paper unless the omission is promptly corrected after being called to the . . . party's attention."¹ Movant will be given an opportunity to correct this omission. To facilitate this, the Court will direct the Clerk of Court to send to movant a copy of his § 2255 motion (Docket No. 1). Movant is directed to sign the motion on page 11 and return it to the Court within **thirty (30) days** of the date of this order. Failure to comply may result in the dismissal of the motion.

Accordingly,

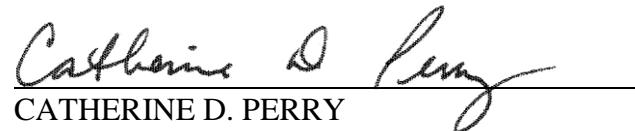
¹Rule 12 of the Rules Governing Section 2255 Proceedings in the United States District Courts provides: "The Federal Rules of Civil Procedure . . . to the extent they are not inconsistent with any statutory provisions or these rules, may be applied to a proceeding under these rules."

IT IS HEREBY ORDERED that the Clerk of Court shall send to movant a copy of Docket No. 1, which is movant's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255.

IT IS FURTHER ORDERED that movant must return his **signed** motion within **thirty (30) days** of the date of this order.

IT IS FURTHER ORDERED that failure to comply with this order may result in the dismissal of the motion pursuant to Fed. R. Civ. P. 41(b).

Dated this 26th day of November, 2019.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE